

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MEYNARD DESIGNS, INC. AND
EARTH VISIONS INC.,

Plaintiffs and Counterclaim
Defendant,

v.

EARTH PRODUCTS INC.,

Defendant and
Counterclaim Plaintiff.

CIVIL ACTION NO. 05 CV 11781
NMG

EARTH PRODUCTS INC.

Third Party Plaintiff,
Counterclaim-Defendant

v.

PLANET,
INC.

Third-Party Defendant,
Counterclaim-Plaintiff

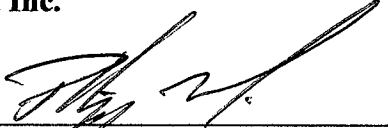
Earth, Inc.'s Certification Pursuant to Local Rule 16.1(D)(3)

Earth, Inc.'s¹ counsel and Earth, Inc.'s authorized representative affirm, pursuant to Local Rule 16.1(D)(3), that they have conferred with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation. They further affirm they have conferred and considered the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

¹ Earth, Inc. was formerly named Earth Visions Inc.

Earth, Inc.

By


Philippe Meynard
President

Counsel for Earth, Inc.


Michael Albert, BBO # 558566
malbert@wolfgreenfield.com
David Wolf, BBO # 532160
dwolf@wolfgreenfield.com
Laura Topper, BBO # 652364
ltopper@wolfgreenfield.com
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210
Tel. 617 646.8000
Fax 617 646.8646